

**IN THE CLAIMS**

A listing of all claims and their current status in accordance with 37 C.F.R. § 1.121(c) is provided below.

1. (currently amended) A headband, comprising:  
an elastic segment sized to fit around a wearer's head; and  
a non-elastic segment being smaller than and attached ~~with said to the~~ elastic  
segment on an exterior side of the elastic segment, said wherein the non-elastic segment is sized  
to span a portion of said the elastic segment when said the elastic segment is stretched, said the  
non-elastic segment being larger than said the portion of said the elastic segment it spans when  
said the elastic segment is not stretched; and  
a sensor coupled to the headband on a patient side of the elastic segment opposite  
the exterior side.
2. (currently amended) The headband of claim 1 ~~further~~ comprising a  
closure mechanism coupled with said the elastic portion.
3. (currently amended) The headband of claim 2 wherein said the closure  
mechanism is a hook and loop closure, a snap, a button, an adhesive, a pin, or combinations  
thereof.

4. (currently amended) The headband of claim 1 wherein ~~said~~ the elastic segment is rectangular shaped having a long and a short dimension, and ~~said~~ the non-elastic segment is attached along a set of its edges with ~~said~~ the elastic segment, wherein ~~said~~ the set of edges are generally parallel to ~~said~~ the short dimension.

5. (currently amended) The headband of claim 1 wherein ~~said~~ the non-elastic segment is attached with ~~said~~ the elastic segment in such a manner that ~~said~~ the non-elastic segment projects out from the exterior surface of the elastic portion when ~~said~~ the headband is not sufficiently tight, thus creating a loop which provides a visual indication that the headband needs re-tightening.

6. (currently amended) The headband of claim 1 wherein ~~said~~ the non-elastic segment is formed with a fold or a crease, which causes ~~said~~ the non-elastic portion to project out from the exterior surface of the elastic portion in a pronounced fashion as the elastic segment retracts.

7. (currently amended) The headband of claim 5 wherein ~~said~~ the non-elastic segment is sized to not project out from the exterior surface of the elastic portion when ~~said~~ the headband is sufficiently tight thus indicating an adequate level of tension corresponding with delivering a pressure in ~~the~~ a range higher than ~~the~~ venous pressure and lower than ~~the~~ capillary pressure to the forehead of the wearer.

8. (currently amended) A headband, comprising:  
an inelastic segment sized to fit around a wearer's head; and  
an elastic segment being smaller than and attached ~~with said to the~~ inelastic  
segment ~~on an exterior side of the inelastic segment, said the~~ elastic segment sized to span a  
portion of ~~said the~~ inelastic segment when ~~said~~ elastic segment is stretched, ~~said the~~ elastic  
segment being smaller than ~~said the~~ portion of ~~said the~~ inelastic segment it spans when ~~said the~~  
elastic segment is not stretched; and

a sensor coupled to the headband on a patient side of the inelastic segment  
opposite the exterior side.

9. (currently amended) The headband of claim 8 ~~further~~ comprising a  
closure mechanism coupled with ~~said the~~ elastic portion.

10. (currently amended) The headband of claim 9 wherein ~~said the~~ closure  
mechanism is a hook and loop closure, a snap, a button, an adhesive, a pin, or combinations  
thereof.

11. (currently amended) The headband of claim 8 wherein ~~said the~~ inelastic  
segment is rectangular shaped having a long and a short dimension, and ~~said the~~ elastic segment  
is attached along a set of its edges with ~~said the~~ inelastic segment, wherein ~~said the~~ set of edges  
are generally parallel to ~~said the~~ short dimension.

12. (currently amended) The headband of claim 8 wherein ~~said~~ the elastic segment is attached with ~~said~~ the inelastic segment in such a manner that ~~s~~-~~said~~ the non-elastic segment projects out from the surface adjacent to a user's forehead when ~~said~~ the headband is not sufficiently tight, thus creating a loop which provides a visual indication that the headband needs re-tightening.

13. (currently amended) The headband of claim 12 wherein ~~said~~ the non-elastic segment is sized to not project out from ~~said~~ the surface when ~~said~~ the headband is sufficiently tight thus indicating an adequate level of tension corresponding with delivering a pressure in ~~the~~ a range higher than venous pressure and lower than capillary pressure to the wearer's forehead.

14.-18 (cancelled)

19. (new) A headband, comprising:  
an elastic segment sized to fit around a wearer's head; and  
a non-elastic segment smaller than and attached discontinuously to the elastic segment, such that the nonelastic segment has some slack when the elastic segment is in an unstretched state, wherein the nonelastic segment has less slack when the elastic segment is applied to a patient's head with sufficient tension to deliver pressure in the range higher than venous pressure and lower than capillary pressure to the wearer's head.

20. (new) The headband of claim 19 comprising a closure mechanism coupled with the elastic portion.
21. (new) The headband of claim 20 wherein the closure mechanism is a hook and loop closure, a snap, a button, an adhesive, a pin, or combinations thereof.
22. (new) The headband of claim 19 wherein the non-elastic segment is attached with the elastic segment in such a manner that the non-elastic segment projects out from the surface of the elastic portion when the headband is not sufficiently tight, thus creating a loop which provides a visual indication that the headband needs re-tightening.
23. (new) The headband of claim 19 wherein the non-elastic segment is sized to have no slack when the headband is applied with sufficient tension to deliver pressure in the range higher than venous pressure and lower than capillary pressure to the wearer's head.
24. (new) The headband of claim 19, wherein the headband is coupled to a sensor.
25. (new) The headband of claim 1 wherein the sensor is a pulse oximetry sensor.

26. (new) The headband of claim 8 wherein the sensor is a pulse oximetry sensor.

27. (new) The headband of claim 1 wherein the sensor is removably coupled to the headband by the tension of the headband after the headband has been applied to the to the wearer's forehead.

28. (new) A headband, comprising:  
an elastic segment sized to fit around a wearer's head; and  
a non-elastic segment smaller than and attached discontinuously to an exterior side of the elastic segment, wherein the non-elastic segment is attached with the elastic segment in such a manner that the non-elastic segment projects out from the surface of the elastic portion when the headband is not sufficiently tight, thus creating a loop which provides a visual indication that the headband needs re-tightening